

DECLARATION

As below named inventors, we hereby declare that

Our residence, post office address and citizenship are as stated below next to our names.

The below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **PROCESS FOR PRODUCING POLYHYDROXYLIC FATTY ACIDS AND RECOMBINANT BACTERIAL STRAINS FOR CARRYING OUT THE PROCESS**, the specification of which was filed as PCT International Application No. PCT/DE95/01279 on 15 September 1995.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims.

We acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a)-(d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Priority
Claimed

| | | | |
|---------------------------|----------------------|-------------------------------------|-----|
| P 44.33.134.7 (Number) | Germany (Country) | 16 September, 1994. (Date Filed) | Yes |
|---------------------------|----------------------|-------------------------------------|-----|

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose all information known to us to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application.

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| PCT/DE95/01279 International Application N | 16 September 94 Filing Date | Completed Status |
|---|--------------------------------|---------------------|

A copy of this declaration is filed herewith in the U.S. Patent and Trademark Office.

Carmen Rodriguez, Paralegal
Arnold, White & Durkee
P. O. Box 4433
Houston, Texas 77244-4433
(713) 527-1440

| | | |
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| Inventor's Full Name | ALEXANDER STEINBÜCHEL | |
| Inventor's Signature | | |
| Date | Country of Citizenship: GERMANY | |
| Residence Address | Ronnenthal 27 D-48341 Altenberge GERMANY | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | MATHIAS LIEBERGESELL | |
| Inventor's Signature | | |
| Date: | Country of Citizenship: GERMANY | |
| Residence Address | Wolfgang-Pauli-Weg 8 D-37077 Gottingen GERMANY | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | HENRY VALENTIN | |
| Inventor's Signature <i>Henry Valentin</i> | | |
| Date 6/11/97 | Country of Citizenship: Germany | |
| Residence Address | 803 M Foxsprings Dr., Chesterfield, MO 63017 U.S.A. | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | ANDREAS PRIES | |
| Inventor's Signature | | |
| Date | Country of Citizenship GERMANY | |
| Residence Address | Napier Street 4 Lyndhurst, New Jersey 07071 | |

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| PRIOR FOREIGN APPLICATION(S) | | | <u>Priority Claimed</u> |
|------------------------------|----------------------|------------------------------------|-----------------------------|
| P 44 33 134 (Number) | Germany (Country) | 16 September, 1994 (Date Filed) | Yes |

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| PCT/DE95/01279 International Application No. | 16 September 94 Filing Date | Completed Status |
|---|--------------------------------|---------------------|

We hereby declare that if correspondence or telephone calls regarding this application are addressed to:

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Arnold, White & Durkee
P. O. Box 4433
Houston, Texas 77040-4433
(713) 757-1400

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| Inventor's Full Name | ALEXANDER STEINBÜCHEL | |
| Inventor's Signature | | |
| Date: | Country of Citizenship GERMANY | |
| Residence Address | Ronnenthal 27 D-48341 Altenberge GERMANY | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | MATHIAS LIEBERGESELL | |
| Inventor's Signature | | |
| Date: | Country of Citizenship GERMANY | |
| Residence Address | Wolfgang-Pauli-Weg 8 D-37077 Gottingen GERMANY | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | HENRY VALENTIN | |
| Inventor's Signature | | |
| Date: | Country of Citizenship | |
| Residence Address | | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | ANDREAS PRIES | |
| Inventor's Signature | | |
| Date | Country of Citizenship GERMANY | |
| Residence Address | Nöpke Strasse 4 D-83435 Bad Reichenhall | |

DECLARATION

As below named inventors, we hereby declare that:

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| P 44 33 134 7 (Number) | Germany (Country) | 16 September, 1994 (Date Filed) | Yes |
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| PCT/DE95/01279 International Application No. | 16 September 94 Filing Date | Completed Status |
|---|--------------------------------|---------------------|

A true and correct copy of the above instrument is being filed herewith.

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| Inventor's Full Name | ALEXANDER STEINBÜCHEL |
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Inventor's Signature

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| Inventor's Full Name | MATHIAS LIEBERGESELL |
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| Inventor's Signature |  |
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| Date: | 10.6.97 | Country of Citizenship |
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| Inventor's Full Name | HENRY VALENTIN |
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| Inventor's Signature |  |
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| Date | Country of Citizenship |
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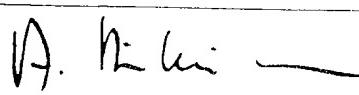
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| Inventor's Full Name | ANDREAS PRIES |
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| Inventor's Signature |  |
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| Date | Country of Citizenship |
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| Residence Address | Nommer Strasse 4 |
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| Inventor's Full Name | ALEXANDER STEINBÜCHEL | |
| Inventor's Signature |  | |
| Date | <i>June 10, 1997</i> | Country of Citizenship GERMANY |
| Residence Address | Rönnenthal 27 D-48341 Altenberge GERMANY | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | MATHIAS LIEBERGESELL | |
| Inventor's Signature | | |
| Date | | |
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| Post Office Address, if different from above | | |
| Inventor's Full Name | HENRY VALENTIN | |
| Inventor's Signature | | |
| Date | | |
| Residence Address | | |
| Post Office Address, if different from above | | |
| Inventor's Full Name | ANDREAS PRIES | |
| Inventor's Signature | | |
| Date | | |
| Residence Address | Nonnen Strasse 4 | |
| | Country of Citizenship GERMANY | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: § Group Art Unit: 1646
§
ALEXANDER STEINBÜCHEL ET AL. §
§
Serial No.: 09/420,119 § Examiner: To be Assigned
§
Filed: October 18, 1999 §
§
For: PROCESS FOR THE PRODUCTION OF § Attorney Docket: MOBT:152-1
POLY(HYDROXY FATTY ACID) AS WELL §
AS RECOMBINANT BACTERIAL STRAINS §
FOR CARRYING OUT THE PROCESS §

CORRESPONDENCE ADDRESS
ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73
AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please direct all communications as follows:

Elizabeth Graf
ARNOLD, WHITE & DURKEE
P. O. Box 4433
Houston, Texas 77210-4433
(713) 787-1400

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints:

T. K. Ball, Reg. No. 42,287; S. Christopher Bauer, Reg. No. 42,305; George R. Beck, Reg. No. 21,180; Dennis A. Bennett, Reg. No. 34,547; Jon H. Beusen, Reg. No. 30,610; Gary M. Bond, Reg. No. 29,283; Grace L. Bonner, Reg. No. 32,963; Joseph W. Bulock, Reg. No. 37,103; Alan E. Dow, Reg. No. 35,123; James C. Forbes, Reg. No. 39,457; Dennis R. Hoerner, Jr., Reg. No. 30,914; Jeffrey M. Hostet, Reg. No. 32,240; J. Timothy Keane, Reg. No. 27,808; Thomas E. Kelley, Reg. No. 29,938; Robert M. Kennedy, Reg.

Ogden, Reg. No. 36,228; Michael J. Roth, Reg. No. 29,342; Donna E. Scherer, Reg. No. 34,719; Carl J. Schwedler, Reg. No. 36,924; Alan L. Scrivner, Reg. No. 43,104; Richard H. Shear, Reg. No. 26,583; Brian K. Stierwalt, Reg. No. 33,213; and Roger A. Williams, Reg. No. 27,679; each an attorney or patent agent with MONSANTO COMPANY, so long as they remain with such company.

and

John F. Lynch, Reg. No. 22,504; J. Paul Williamson, Reg. No. 29,600; John D. Norris, Reg. No. 28,246; Patricia A. Kammerer, Reg. No. 29,775; Stephen H. Cagle, Reg. No. 26,445; Melinda L. Patterson, Reg. No. 33,062; Susan K. Knoll, Reg. No. 33,254; Steven Z. Szczepanski, Reg. No. 27,957; Mary Jo Boldingh, Reg. No. 34,713; L. Gene Spears, Reg. No. 35,369; Janelle D. Waack, Reg. No. 36,300; Michael E. Lee, Reg. No. 38,949; Harold N. Wells, Reg. No. 26,044; Carter J. White, Reg. No. 41,374, and Christopher J. Buntel, Reg. No. 44,573; each an attorney or patent agent with the law firm of ARNOLD, WHITE & DURKEE, as its attorney so long as they remain with such law firm.

with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **MONSANTO COMPANY** referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to MPEP § 324(2), the undersigned avers that he is empowered to sign this statement on behalf of assignee.

ASSIGNEE: MONSANTO COMPANY

Date: January 3, 2000

By:

Jon H. Beusen
Intellectual Property Counsel
Authorized to sign this document for
Monsanto Company by resolution dated
October 22, 1999 of the Board of Directors

Name: Jon H. Beusen

Registration No. 30,610

Title: Intellectual Property Counsel